

EXHIBIT 1

JAN P. LEVINE

Partner

OVERVIEW

Jan P. Levine is a litigation partner with Pepper Hamilton LLP and is co-chair of the Commercial Litigation Practice Group. Ms. Levine focuses on a wide range of complex commercial litigation including antitrust and competition law, unfair trade practices, health care litigation and class actions. Before joining Pepper in July 2007, Ms. Levine was a commercial litigation partner with Dechert LLP.

EXPERIENCE

The following engagements are representative of work she has handled:

Antitrust and Class Action Litigation

- *In re Processed Egg Products Antitrust Litigation* (MDL Docket No. 2002) Defense of two Capper-Volstead egg producer cooperatives and a trade association in a series of antitrust putative class actions alleging an industry-wide supply restriction scheme to fix the prices of eggs and egg products sold in the United States during an eight-year period. Representation also includes acting in capacity of liaison defense counsel. Ms. Levine successfully argued the dismissal of the trade association defendant. The defendants successfully defeated the Indirect Purchaser Plaintiffs damages class.
- *International Union of Operating Engineers Local 30 Benefits Fund v. Lannett Co., Inc., et al.* (E.D.Pa.). Defense of West-Ward Pharmaceuticals in a putative class action pending in federal court alleging violations of federal and state antitrust statutes and consumer protection laws relating to an alleged conspiracy among manufacturers to fix prices for certain generic drugs.
- *Ruff v. Albert Einstein Healthcare Network* (E.D.Pa.). Defense of Albert Einstein Health Network, its president and CEO and vice president of human resources and related entities, in a putative collective action case alleging violations of the Fair Labor Standards Act, and a putative class action alleging violations of RICO and ERISA based on the Network's use of an automatic meal break deduction timekeeping system. The suit was dismissed with prejudice, and that dismissal was affirmed by the Third Circuit.
- *Jane Doe, et al. v. The Johns Hopkins Hospital, et al.* Representation of Johns Hopkins and related entities in a putative class action in which the class action complaint alleges surreptitious photographing of patients and alleged dissemination in addition to boundary violations by an obstetrician/gynecologist.



Philadelphia, PA
Phone: 215.981.4714
Fax: 215.981.4750
levinej@pepperlaw.com



- *Zoom Imaging, L.P. v. St. Luke's Hospital and Health Network, et al.* Defense of a hospital system, exclusive radiology provider, and chairs of Departments of Radiology and Surgery in antitrust case alleging conspiracy and group boycott of imaging center alleged to be competing with St. Luke's and its exclusive radiology provider. The suit was dismissed with prejudice.
- *Home Health Specialists, Inc. v. Liberty Health Systems, et al.* Defense of antitrust case alleging monopolization and conspiracy to preclude a home health agency's participation in the market. Plaintiff's claims were defeated on summary judgment, which was affirmed by the Third Circuit.
- *American Health Systems, Inc. v. Liberty Health System, et al.* Defense of antitrust case alleging monopolization, attempt to monopolize, and conspiracy to restrain competition in the market for home health services. Case settled on terms favorable to client.
- *Steven Meller, M.D. v. Abington Memorial Hospital, et al.* Defense of hospital and physician department chairmen in case brought by a urologist denied entry to medical staff under a Medical Staff Development Plan. In this 12-count complaint, plaintiff alleges unfair competition by being precluded from the market, breach of contract, civil conspiracy, tortious interference, and federal and state statutory violations. Successfully defeated six of the claims on preliminary objections. The case was voluntarily dismissed and parties are mediating a resolution.

Complex Commercial Litigation

- *Plumbers' Local Union No. 690 Health Plan v. Actavis, et al* and *Delaware Valley Heath Care Coal. v. Actavis Group, et al.* (E.D.Pa.). Defense of West-Ward Pharmaceuticals in putative national class action pending in federal court and single-plaintiff suit, brought by a coalition on behalf of members, pending in state court alleging consumer deception associated with average wholesale prices.
- *In re Old Ladder Litigation.* Defense of CFO and Director of Marketing in breach of fiduciary duty and securities litigation. Case settled favorably.
- *In re Regal Communications Corporation Securities Litigation.* Defense of Ernst & Young in accounting malpractice and securities class action brought by Regal's stockholders and bondholders.
- *In re Sunrise Securities Litigation.* Defense of outside directors of the largest failed savings and loan, at the time, in shareholder, government and bondholder litigation. This matter litigated for 10 years and included complex securities, commercial and class action issues.
- *Koken v. Cargill, et al.* Defense of PricewaterhouseCoopers in an accounting liability case brought by the Pennsylvania Insurance Commissioner.
- *Gartmore Investment Limited v. National Indemnity Company of Mid-America* (private arbitration) Defense of a national insurance company and its British subsidiary, an investment management company, in an arbitration regarding coverage related to investigation concerning the market for split capital investment trusts. Case settled favorably after summary judgment ruling.
- *Capital Medical Center, LLC v. Capital Behavioral Health, LLC, et al.* and *Capital Behavioral Health, LLC v. Specialty Hospitals of America, LLC et al.* Defense of health care corporations and directors and officers in a 12-count complaint alleging contract and tort claim brought by a provider of psychiatric services for lost profits and countersuit by hospital corporation for defamation.



- *Saint Luke's Hospital of Bethlehem, Pennsylvania, et al. v. MIIX Insurance Company*. Defense of a hospital system against its professional liability carrier for breach of contract and bad faith for failure to abide by terms of the insurance policy providing for a fixed price for extended reporting (tail) coverage. Case settled on terms favorable to client.

EDUCATION

- J.D., *cum laude*, Temple University School of Law, 1985, Barrister's Award for Distinguished Oral Advocacy
- B.A., *summa cum laude*, University of Pennsylvania, 1980, Phi Beta Kappa

BAR ADMISSIONS

- Pennsylvania

COURT ADMISSIONS

- United States Supreme Court
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Eastern District of Pennsylvania